

ESTTA Tracking number: **ESTTA543356**

Filing date: **06/17/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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| Proceeding. | 92055094 |
| Applicant | Defendant Temperance Distilling Company, Inc. |
| Other Party | Plaintiff Swig, Inc. |
| Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)? | Yes |

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 06/23/2013. Temperance Distilling Company, Inc. requests that such date be extended for 30 days, or until 07/23/2013, and that all subsequent dates be reset accordingly.

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| Time to Answer : | CLOSED |
| Deadline for Discovery Conference : | CLOSED |
| Discovery Opens : | CLOSED |
| Initial Disclosures Due : | CLOSED |
| Expert Disclosure Due : | 06/23/2013 |
| Discovery Closes : | 07/23/2013 |
| Plaintiff's Pretrial Disclosures : | 09/06/2013 |
| Plaintiff's 30-day Trial Period Ends : | 10/21/2013 |
| Defendant/Counterclaim Plaintiff's Pretrial Disclosures : | 11/05/2013 |
| 30-day Trial Period for Defendant and Plaintiff in the Counterclaim : | 12/20/2013 |
| Counterclaim Defendant's and Plaintiff Rebuttal Disclosures Due : | 01/04/2014 |
| 30-day Trial Period for Counterclaim Defendant and Rebuttal Testimony as Plaintiff ends : | 02/18/2014 |
| Counterclaim Plaintiff's Rebuttal Disclosures Due : | 03/05/2014 |
| 15-day Rebuttal Period for Counterclaim Plaintiff Ends : | 04/04/2014 |
| Plaintiff's Trial Brief Due : | 06/03/2014 |
| Defendant's Trial Brief and Plaintiff in the Counterclaim Due : | 07/03/2014 |
| Brief for Defendant in the Counterclaim and Reply Brief, if any, for Plaintiff Due : | 08/02/2014 |

Reply Brief, if any, for Plaintiff in the Counterclaim 08/17/2014
Due :

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*

Temperance Distilling Company, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Temperance Distilling Company, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,
/Gregg W. Emch/
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06/17/2013